

April 5, 1984

LB 561

Legislature, I must part company with Senator Higgins today. I have heard people say that this bill ought to be passed for Bob Clark because this is his last session of the Legislature. I heard Senator Clark mention that he came back from a sad occasion. Those are two things on their own merits which could be considered but they should not be injected into the discussion of this particular piece of legislation. With the vagaries of life, this could be the last session for any of us. So that has nothing to do with whether or not the policy decision we make today is good or bad. The question to be decided is whether or not the ones we are going to entrust with the care of people's eyes as this bill envisions are the ones who ought to have those prerogatives. I think Senator Higgins overstates when she says you would go to a heart specialist, perhaps, to have your tonsils taken out or an ingrown toenail removed. Nobody would do that. That is not the kind of situation we have in this bill. We are saying that there are different areas of operation and some people are more trained to handle...they are trained to handle their respective areas. Now I am not confident that the optometrist is capable to properly diagnose all of the diseases of the eye that he or she might attempt to treat in the way this bill allows. People go into business to make money. We know that doctors, lawyers, and every other member of every profession go into that profession to make money. If an optometrist misdiagnoses and causes a serious problem with somebody's eye, then he or she will run that person to an ophthalmologist and say, "Well, I made a mistake, the joke is on me. I just didn't know. I went as far as my training took me and the Legislature gave me authority to operate in this area so I can't be held accountable for anything, if I didn't violate the standards that the Legislature set." A lot of people don't know the difference between an ophthalmologist or an optometrist or an oculist. They are all eye doctors. The Legislature can make a mistake in allowing the public to place a reliance that is not justified on an optometrist. I don't think the bill is good, and if I remember correctly, there were discussions in the past that the ground gained for the optometrist was all that was being sought. But you know that if you put a drop of ink in the center of a blotter, where the ink hits the